

ADMINISTRATIVE PANEL DECISION

LEGO Holding A/S v. Kessy Hus

Case No. D2026-3173

1. The Parties

The Complainant is LEGO Holding A/S, Denmark, represented by CSC Digital Brand Services Group AB, Sweden.

The Respondent is Kessy Hus, Cameroon.

2. The Domain Name and Registrar

The disputed domain name <legotoyssales.com> is registered with Hostinger Operations, UAB (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on July 20, 2026. On July 20, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain name. On July 20, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain name which differed from the named Respondent (Registrant Information Not Disclosed) and contact information in the Complaint. The Center sent an email communication to the Complainant on July 22, 2026, providing the registrant and contact information disclosed by the Registrar, and inviting the Complainant to submit an amendment to the Complaint. The Complainant filed an amended Complaint on July 24, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondent of the Complaint, and the proceedings commenced on July 30, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 19, 2026. The Respondent did not submit any response. Accordingly, the Center notified the Respondent's default on August 21, 2026.

On September 9, 2026, the Center contacted the Respondent due to an administrative oversight that occurred while notifying the Respondent of the Complaint on July 30, 2026, which resulted in the annexes to the Complaint not being attached to the Center's notification email. In light of this, the Center renotified the Complaint, along with the missing annexes, and granted the Respondent a 5-day period (e.g., through September 14, 2026) in which to indicate whether it wished to participate in the proceeding. The Respondent did not submit any response.

The Center appointed Nayiri Boghossian as the sole panelist in this matter on September 16, 2026. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

4. Factual Background

The Complainant is the manufacturer of the construction toys branded LEGO. The Complainant owns numerous trademark registrations for LEGO such as United States of America registration No. 1018875, registered on August 26, 1975.

The disputed domain name was registered on May 19, 2026 and resolves to an inactive website. Previously, it resolved to a website purporting to offer the Complainant's products and displaying the Complainant's trademark with logo.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain name.

Notably, the Complainant contends that the disputed domain name is confusingly similar to a trademark in which the Complainant has rights. The dominant part of the disputed domain name consists of the Complainant's trademark. The trademark LEGO is well known. The inclusion of the generic terms "toys" and "sales" does not eliminate confusing similarity. The generic Top-Level-Domain ("gTLD") ".com" does not have an impact on assessing confusing similarity.

The Complainant contends that the Respondent has no rights or legitimate interests in the disputed domain name. The Respondent is not authorized or licensed by the Complainant to use its trademark nor is he an authorized dealer. There is no evidence that the Respondent is using the name LEGO as a company name nor has any other legal rights in that name. There is no bona fide offering of goods and services. The requirements of the *Ok! Data*¹ test are not met here as there is no disclosure of the relationship or the lack thereof between the Respondent and the Complainant. The Respondent incorporated the Complainant's logotype without consent.

The Complainant contends that the disputed domain name was registered and is being used in bad faith. The Complainant's trademark is well known. The disputed domain name was registered decades after the registration of the Complainant's trademark. The disputed domain name resolved previously to a website offering the Complainant's products without authorization and displaying the Complainant's logo. After the Complainant actioned a takedown of the website the disputed domain name resolves to an inactive website. Bad faith does not require a positive act and passively holding a domain name can constitute a factor in finding bad faith.

¹ *Ok! Data Americas, Inc. v. ASD, Inc.*, WIPO Case No. [D2001-0903](#)

B. Respondent

The Respondent did not reply to the Complainant's contentions.

6. Discussion and Findings

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain name. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("[WIPO Overview 3.1](#)"), section 1.7.

The Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.2.1.

The entirety of the mark is reproduced within the disputed domain name. Accordingly, the disputed domain name is confusingly similar to the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.7.

Although the addition of other terms here, "toys" and "sales" may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain name and the mark for the purposes of the Policy. [WIPO Overview 3.1](#), section 1.8.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the Respondent may demonstrate rights or legitimate interests in a disputed domain name.

Although the overall burden of proof in UDRP proceedings is on the complainant, panels have recognized that proving that a respondent lacks rights or legitimate interests in a domain name may result in the difficult task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the domain name (although the burden of proof always remains on the complainant). If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. [WIPO Overview 3.1](#), section 2.1.

Having reviewed the available record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain name. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain name such as those enumerated in the Policy or otherwise.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that, for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular, but without limitation, that, if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

In the present case, the Panel notes that the Respondent must have been aware of the Complainant's trademark as the disputed domain name was registered decades after the registration of the Complainant's trademark, the Complainant's trademark is well-known, the disputed domain name resolved previously to a website purporting to offer the Complainant's products and displayed the Complainant's trademark with logo. The Panel finds that the Respondent meant to create confusion for users intending to find the Complainant, and that the Respondent was using the disputed domain name to intentionally attempt to attract Internet users to a website for commercial gain, by creating a likelihood of confusion with the Complainant's mark as to the source, sponsorship, affiliation or endorsement of its website.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain name <legotoyssales.com> be transferred to the Complainant.

/Nayiri Boghossian/

Nayiri Boghossian

Sole Panelist

Date: September 21, 2026